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TRANSMITTAL FORM	Patent Number	5,788,178	
	Issue Date	August 4, 1998	
	Application Number	08/888,425	
	Filing Date	July 7, 1997	
	First Named Inventor	Barrett, Jr.	
Total Number of Pages in This Submission	4	Attorney Docket Number	RBAR0001-100

ENCLOSURES (check all that apply)

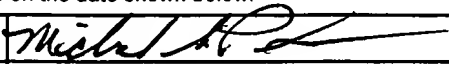
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Reply to Request for Information (Petitions) 3 pages
Remarks via facsimile to 571-273-8300 ATTENTION: PETITIONS Please deliver to Attorney Cliff Congo		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Cozen O'Connor		
Signature			
Printed Name	Michael A. Patané		
Date	July 27, 2006	Reg. No.	42,982

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Typed or printed name	Michael A. Patané	Date	July 27, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re US Patent: 5,788,178

Inventor: Rolin F. Barrett, Jr.

Issued: August 4, 1998

Petitions Attorney: Cliff Congo

Serial No.: 08/888,425

Docket No.: RBAR0001-100

Filed: July 7, 1997

For: GUIDED BULLET

Mail Stop: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: Cliff Congo

VIA Electronic Filing System(EFS)
DATE SENT: July 27, 2006

REPLY TO REQUEST FOR INFORMATION

Sir:

This Reply responds to the June 26, 2006 Request for Information concerning the Petition for Acceptance of Delayed Payment of Maintenance Fee in Expired Patent to Reinstate Patent dated July 8, 2005 and a Request for Reconsideration of the petition dated April 10, 2006.

Applicant acknowledges with appreciation the courtesies extended to their representative, Michael A. Patané, by Petitions Attorney Cliff Congo, during their July 26, 2006 telephone conversation concerning the Request for Information.

As noted during the conversation Mr. Congo has agreed to revisit the Petition in light of various portions of the Walsh and Mills Declaration noted during the conversation. Applicants respectfully assert that these declarations, and the Petitions contain sufficient evidence to show:

1. the error was clerical in nature
2. the error was made by clerical staff
3. the responsible staff member was adequately trained and knowledgeable
4. the error occurred despite back-up procedures.

The error, as noted on page 5 of Mrs. Walsh's Declaration in paragraph 2 (we note due to our own clerical error, this is the second paragraph 2 in the Declaration), was that the

maintenance fee reminder letters were addressed to Ronald Barrett rather than Rolin Barrett. Misaddressing a letter clearly falls within the meaning of clerical error.

As noted in that same paragraph, Mrs. Walsh, a secretary at the Mills Firm, prepared the letters, including the inadvertent error. Thus, the error was made by clerical staff, not Applicant himself or his attorney.

Mrs. Walsh was a trusted member of the Mills Law Firm staff. As noted on page one, paragraph 1 of the Walsh Declaration, she began working in the Mills Firm in 1996, five years before the first maintenance fee was due. As such, by the time the maintenance fee was due, she was familiar with the firm's policies and procedures, including letter drafting, docketing, and maintenance fee payment procedures. As noted in paragraph 7 of the Mills Declaration, Mrs. Walsh was one of several employees entrusted with the responsibility of pulling patents and sending maintenance fee reminders, prior to a change in procedures in 2001. Of those employees, Mrs. Walsh is the only one who remains at the firm, evidencing the firm's confidence in her abilities. The Mills Declaration at paragraph 10 indicates Mrs. Walsh was key in recognizing the advantages of a centralized maintenance fee reminder system and helped implement that system around September 2001.

The error occurred despite back-up measures to avoid disastrous consequences. As noted in both the Mills and Walsh Declarations, the first reminder usually sent at the opening of the payment window apparently was not sent, due to timing of the change in reminder systems in late 2001. Fortunately, the firm has a back-up plan in place and sends a second reminder along with a notice from the PTO indicating that the surcharge period has opened. Mrs. Walsh prepared this letter and it was mailed March 12, 2002 (see Mills Declaration paragraph 9; Walsh Declaration page 2, paragraph 1.) In the event, as happened here, that no instructions are received, the firm has another back-up provision in that another reminder letter, via certified mail, signed receipt requested, is sent advising the client that the surcharge period is about to close (see Mills Declaration paragraphs 12-14; Walsh Declaration pages 2-3, paragraphs 4-6). Finally, upon receiving a Notice of Abandonment for failure to pay maintenance fees, the firm sends the Notice to the client requesting that the client call with any questions concerning the abandonment. Thus, there are several levels during the firm's maintenance fee reminder system in place to avoid potential mishaps or miscommunications. Unfortunately, in this case they did

not prevent the error, in part because the unintended recipient never conveyed his receipt of mail not concerning him, even when having to sign for the letter.

Applicants respectfully submit that the original Petition and its attachments, Request for Reconsideration, and this communication provide ample evidence of the clerical error and that the Petition for Acceptance of Delayed Payment of the Maintenance fee should be granted, and the patent reinstated. Reconsideration in light of this communication, the Request for Reconsideration, and the original Petition is respectfully requested.

The Commissioner is hereby authorized to charge any fee or underpayment thereof or credit any overpayment to deposit account no. 50-1275.

Early reconsideration and allowance of all pending claims is respectfully requested. The examiner is requested to contact the undersigned attorney if an interview, telephonic or personal, would facilitate allowance of the claims.

Respectfully submitted,
COZEN O'CONNOR



Date: July 27, 2006

by: Michael A. Patané
Reg. No. 42, 982

1900 Market Street
Philadelphia, PA 19103-3508
215-665-6966



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